In re Application of: Ariel PELED et al
Serial No.: 10/748,178
Filed: December 31, 2003
Office Action Mailing Date: January 23, 2009

Examiner: Thomas A. GYORFI
Group Art Unit: 2435
Attorney Docket: 27153

REMARKS

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 1-80, 107 – 130 147 and 148 are in this Application. Claims 81-106 and 131-146 have previously been cancelled.

Claims 1-80, 107 – 130 147 and 148 have been rejected under 35 U.S.C. §103.

Claims 1, 66, 73, 107, 110 and 130 have been amended herewith. .

35 U.S.C. §103 Rejection

Claims 1-72 and 110-129 are rejected under 35 U.S.C. §103(a) as being obvious over Ginter et al. (US Patent No. 5,892,900), hereinafter "Ginter", in view of Lacan et al (US Patent 7,370,366) hereinafter "Lacan" and Ho (US Patent No. 6,148,342).

Claims 73-75, 78-80 and 130 are rejected under 35 U.S.C. §103(a) as being obvious in light of by Ronning (US Patent No. 5,903,647), hereinafter "Ronning" in view of Lacan in view of Ho.

Claims 76 and 77 are rejected over Ronning in view of Lacan in view of How in view of England (US Patent Application Publication No. 2003/0200435.

Claims 107-109 are rejected under 35 U.S.C. §102(b) as being obvious in light of "Java Security: How to Install the Security Manager and Customize Your Security Policy" (hereinafter "Venners") in view of Lacan in view of Ho.

Amendments to the main claims

In light of the Examiner's rejections, the independent claims have been amended to cover the use of statistical analysis based on identifiers to tell whether content to which given actions are applied at a workstation, is confidential information to a given level of confidence. If it is determined to be confidential information then policies associated with that confidential information are applied to the action. specifically:

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"A method for computer workstation based information protection, the method comprising:

a) monitoring a user's actions on said computer workstation;

b) detecting whether content in use at said workstation in association with said actions being monitored comprises confidential information, said detecting comprising performing a statistical analysis of said content in use by said user using identifiers from a content identifier database, said statistical analysis using said identifiers to associate said content with respective confidential information, said confidential information being associated with respective predefined policies;

c) analyzing said monitored action with respect to a respective pre-defined policy associated with any confidential information identified by said analysis as being associated with said content in use at said workstation, to determine whether said actions prejudice said confidential information; and

d) executing said policy in accordance with the results of said determination, to control said actions."

Ginter does teach monitoring of information usage to limit or meter the usage. However Ginter at least in the passages pointed to by the Examiner, never discusses monitoring particular user actions.

Be that as it may, Ginter, as the Examiner concedes, does *not* use statistics to identify confidential information.

In this connection the Examiner cites Lacan for using statistical analysis to identify confidential information.

Applicant respectfully disagrees with the Examiner's finding that Lacan uses statistics to *identify* confidential information.

Applicant is not trying to claim carrying out a statistical analysis *of* confidential information. Rather the claims define using statistical analysis to *identify* the confidential information. Lacan identifies the confidential information in other ways and then carries out a statistical analysis of the already identified confidential information.

Examiner cites col. 8 lines 15 – 40. However, this passage merely teaches that analysis may be carried out on the data. There is no teaching that the *statistics identify* confidential information.

In the following, applicant trawls through Lacan and identifies *every* passage that teaches *either* identifying confidential information *or* discusses statistical analysis. It is clear from the following that no passage in Lacan ever links the two, so that there is no teaching or hint in Lacan of statistical analysis *to identify* confidential information.

Col. 6 line 25 clearly states that *confidentiality system 44* identifies the confidential information. Confidentiality system 44 is in *no way related* in Lacan with statistical analysis. Indeed col 6 line 25 and col. 6 line 56 are the *only points in the text* where the confidentiality system is mentioned. Neither of them relate *identification* of confidential information to any kind of *statistical analysis*.

On the other hand, statistical analysis is mentioned on col. 2 line 2 (data is stored for subsequent statistical analysis, col. 3 line 44 (data is a statistical analysis), col. 5 line 41 (protection from eavesdropping), col. 6 line 18 (data can be processed statistically), col. 6 line 35 (data is statistical), or col 7 line 27, (statistics to verify data). None of these passages suggest the use of statistics to identify the confidential information.

On the contrary Examiner's attention is drawn to the very definitive passage at col. 10 line 46 – 50 "..while guaranteeing that data they wish to keep confidential remains as such". Statistics provide a probability, not a guarantee, so Lacan makes it abundantly clear that he does not use statistics to identify confidential information.

Col. 8 lines 5 – 14 teach that data analysis might compromise the confidentiality of the data. Nowhere does it suggest that statistics are used to identify the confidential information.

The claimed feature that confidential information is *identified* statistically is not only absent from Lacan, but it is absent from all of the other citations as well.

Regarding the citation to Ho, it is true that Ho uses identifiers, and furthermore uses identifiers from a database. However the claim as currently amended requires:

> said detecting comprising performing a statistical analysis of said content in use by said user using identifiers from a content identifier database, said statistical analysis using said identifiers to associate said content with respective confidential information to a given level of confidence,

Ho merely uses the identifiers directly on a database to determine whether a given requester is entitled to see the data. There is no statistical analysis that involves identifiers. Neither can such a statistical analysis be inferred from Lacan since Lacan does not use statistics or identifiers to identify confidential information.

Claim 1 has been further amended to specify that the confidential information is associated according to a given level of confidence, and that that policy is applied taking the level of confidence into consideration.

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No such feature is taught in any of Lacan, Ginter or Ho, since Lacan specifically states that he guarantees identification, Ginter does not use statistics to identify confidential information and Ho merely checks identifiers to ensure that a given person is authorized.

Indeed the use of statistics to identify confidential information is specifically contrary to Lacan's teaching that the identification must be guaranteed.

The above remarks relate to claims 1 and 107 which both recite that identification of the confidential information is made statistically. The remaining independent claims include both this feature and an additional feature that the statistical identification is made according to a level of confidence. Since Lacan does not teach identifying statistically, he certainly cannot attach a level of confidence to a statistical identification that he does not make.

No new matter has been added in the course of making the present amendments. Support for the levels of confidence are to be found on page 28 last paragraph.

It is believed that all of the matters raised by the Examiner are overcome.

In view of the above amendments and remarks it is respectfully submitted that claims 1-80, 107-130, 147 and 148 are now in condition for allowance. A prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,

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Date: June 23, 2009

Enclosures:

- Petition for Extension (Two Months)